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December 17, 2008

The Honorable Barack Obama
President-Elect of the United States
451 6th St., N.W.
Washington, D.C. 20002

Dear Mr. President-Elect:

On November 18, speaking by videotape to the Bi-Partisan Governors' Global Climate Summit, you invited Members of Congress who would be attending the 14th Conference of Parties of the United Nations Framework Convention on Climate Change (UNFCCC) in Poznan, Poland to report back to you on what they learned there. I have just returned from serving as the only Member of the U.S. House of Representatives to observe the negotiations and the only Member of Congress to observe the entire final week. I am happy to accept your invitation.

By way of background, I currently serve as the Ranking Republican Member of the Select Committee on Energy Independence and Global Warming, a committee created by House Speaker Nancy Pelosi in the 110th Congress to study policies, strategies and technologies to substantially and permanently reduce emissions that contribute to global warming. I have attended three prior UNFCCC Conferences of Parties and led the U.S. House delegation to Japan, which observed the 1997 negotiations that produced the Kyoto Protocol.

I am deeply concerned that the current negotiations, which are intended to lead to a new international treaty to replace the Kyoto Protocol next year in Copenhagen, are recreating Kyoto's fatal flaws. Specifically, any treaty that does not include legally binding and verifiable greenhouse gas emissions reductions from developing countries will not be ratified by the U.S. Senate because it will not accomplish the fundamental goal of reducing global emissions.

You are aware of the Byrd-Hagel Resolution, which the U.S. Senate adopted by a 95-to-0 vote on July 25, 1997, expressing the sense of the Senate that the U.S. should not be a signatory to an agreement that does not include specific scheduled commitments to limit greenhouse gas emissions for developing countries or will result in serious harm to the U.S. economy. Because the Kyoto Protocol failed to satisfy these requirements, neither President Clinton nor President Bush submitted the treaty to the Senate for ratification. At a meeting in Poznan, Senator John Kerry and Vice President Al Gore agreed that an international treaty must include mandatory emissions reductions from developing countries.

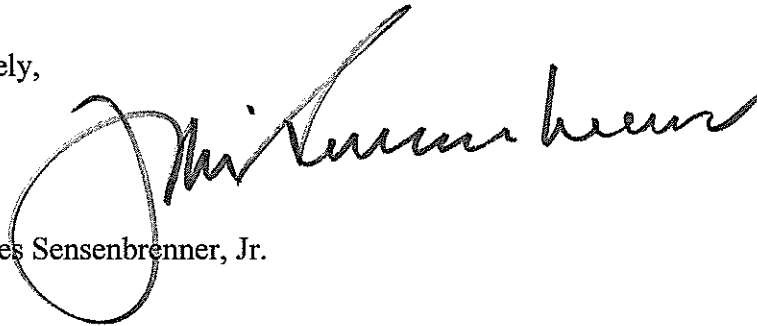
The current negotiations seem to be leading toward a similarly flawed outcome. At another meeting in Poznan, I met with negotiators from foreign countries, including China and India. These countries, the first and third largest CO2 emitters in the world, clearly stated that they would not accept legally binding emissions reductions.

The impasse that international negotiators have reached indicates that a new strategy is necessary. I am eager to assist you in emphasizing that, without legally-binding, verifiable commitments from all nations, global reductions in greenhouse gas emissions are neither scientifically nor politically achievable.

I look forward to scheduling a more detailed briefing.

My best wishes to you and your family during this holiday season.

Sincerely,

A handwritten signature in black ink, appearing to read "F. James Sensenbrenner, Jr.", with a large, stylized initial "F" and a circular flourish at the end.

F. James Sensenbrenner, Jr.